PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 04-105 (400/146))

In the Application of:

James McSwiggen

Serial No.: 10/783,128

Filing Date: February 20, 2004

For: RNA INTERFERENCE MEDIATED TREATMENT OF POLYGLUTAMINE (POLYQ) REPEAT EXPANSION DISEASES USING SHORT INTERFERING NUCLEIC ACID (siNA)

Examiner: TBD

Group Art Unit: 1614

Confirmation No.: 2611

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

   ☒ Fourth Supplemental Information Disclosure Statement;
   ☒ Fourth Supplemental Information Disclosure Statement (IDS) PTO-1449 Form;
   ☒ Copies of IDS Citations for S/N 10/783,128 (Total 6 foreign patent and 33 other documents); and
   ☒ Return Receipt Postcard.

2. With respect to additional fees, enclosed is a check for $180.00.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on March 16, 2006.

By : _____
Anita J. Terpstra
Reg. No. 47,132

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FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Fourth Supplemental Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. A partial recitation of the priority claim is as follows. This application is a continuation-in-part of U.S. Patent Application No. 10/757,803, filed January 14, 2004, which is a continuation-in-part of U.S. Patent Application No. 10/720,448, filed November 24, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/693,059, filed October 23, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/444,853, filed May 23, 2003 and a continuation-in-part of 10/652,791, filed August 29, 2003, which is a continuation of 10/422,704, filed April 24, 2003, which is a continuation of U.S. Patent Application No. 10/417,012, filed April 16, 2003. This application is also a continuation-in-part of US Patent Application No. 10/427,160, filed April 30, 2003. All of the applications recited herein are relied upon for an earlier filing date under 35 U.S.C. § 120.

The Office has amended the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications. See 69 Fed. Reg. 56481. In accordance with this amendment, cited U.S. patents and U.S. patent application publications are not enclosed.

This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants enclose the fee of $180.00 pursuant to 37 C.F.R. 1.17(p) for this filing. The Commissioner is hereby authorized to charge or credit Deposit Account Number 13-2490 for any under- or over-payment of fees associated with the papers transmitted herewith, or to credit any overpayment of same.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Date: March 16, 2006

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FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No.	Serial No.
		04-105 (400/146)	10/783,128

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

Applicant:	
James McSwiggen	
Filing Date:	**Group:**
February 20, 2004	1614

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	*	US 2002/0114780	11/30/01	Bankiewicz et al.			08/2/02
	*	US 2002/0141980	06/21/01	Bankiewicz et al.			10/03/02
	*	US 2002/0187127	04/25/02	Bankiewicz et al.			12/12/02
	*	US 2002/0187931	12/12/02	Hayden et al.			05/31/02
	*	US 2003/0077829	07/19/04	McSwiggen et al.			03/31/05
	*	US 2003/0206887	09/16/02	Morrissey et al.			11/06/03
	*	US 2004/0241854	12/02/04	Davidson et al.			12/16/03

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	1.	92/01070	01/23/93	WO (Carter et al.)				
	2.	93/03769	03/04/93	WO (Crystal et al.)				
	3.	00/03683	01/27/00	WO (Boey et al.)				
	4.	02/087541	11/07/02	WO (MacLachlan)				

EXAMINER	DATE CONSIDERED

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	5.	03/030989	04/17/03	WO (Behar et al.)				
	6.	03/043689	05/30/03	WO (Behar et al.)				

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